

### C. Amendments to the Claims

A complete listing of all pending claims is set forth below.

Please amend Claims 1-12 and add new Claims 13-24 as follows:

1. (Currently Amended) A surface treated so as to be carpet capable of controlling odor caused by an associated with deposits of organic material, said surface ~~which can cause odors on the carpet, the carpet~~ comprising:

dormant bacteria capable of becoming active when exposed to the organic material; and

at least one adhering agent for adhering said dormant bacteria to said surface, ~~fibers tufted through a primary backing, the fibers having associated therewith a preparation of~~

wherein said dormant bacteria, when activated, is ~~are effective to control odors, such that when the carpet is subsequently exposed to organic material which can cause odors, the bacteria are capable of becoming active and digesting the organic material.~~

2. (Currently Amended) The surface according to A carpet as claimed in claim Claim 1, wherein the bacteria is a sporulated form of ~~[[are]]~~ one or more strains of the genus ~~selected from the group of bacterial genera~~ *Bacillus*.

3. (Currently Amended) The surface according to A carpet as claimed in claim Claim 2, wherein the bacteria of the genus Bacillus is ~~[[are]]~~ one or more strains

selected from the group of bacterial species consisting ~~essentially~~ of *Bacillus megaterium*, *Bacillus pasteurii*, *Bacillus laevolacticus* and *Bacillus amyloliquefaciens*.

4. (Currently Amended) ~~The surface according to A carpet as claimed in claim 3~~ Claim 2, wherein said surface is a carpet comprising a carpet fiber, and the dormant bacteria is ~~[[are]]~~ applied to the carpet at a concentration of between about  $10^6$  and about  $10^8$   ~~$10^6$  and about  $10^8$~~  cells per square inch ~~gram~~ of said carpet fiber.

5. (Currently Amended) ~~The surface according to A carpet as claimed in claim~~ Claim 4, wherein the dormant bacteria is ~~[[are]]~~ applied to said ~~[[the]]~~ carpet at a concentration of about  $10^7$  cells per square inch ~~gram~~ of said carpet fiber.

6. (Currently Amended) The surface according to Claim 1, wherein ~~said A carpet as claimed in claim 5 wherein the dormant~~ bacteria ~~bacterial preparation~~ comprises:

Species	% of total bacteria
<i>Bacillus megaterium</i>	Range 5-60
<i>Bacillus pasteurii</i>	10-40
<i>Bacillus laevolacticus</i>	10-40
<i>Bacillus amyloliquefaciens</i>	10-40

7. (Currently Amended) The surface according to Claim 1, wherein  
~~said A carpet as claimed in claim 5 wherein the dormant~~ bacteria ~~bacterial preparation~~  
 comprises:

Species	% of total bacteria
<i>Bacillus megaterium</i>	40
<i>Bacillus pasteurii</i>	20
<i>Bacillus laevolacticus</i>	20
<i>Bacillus amyoliquefaciens</i>	20

8. (Currently Amended) The surface according to Claim 1, A carpet as  
~~claimed in claim 1 wherein~~ said surface further comprises a stain blocker ~~the carpet has also~~  
~~been treated with one or more stain-blocking chemicals.~~

9. (Currently Amended) The surface according to A carpet as claimed  
~~in claim Claim 8, wherein~~ said stain blocker is ~~the one or more stain-blocking chemicals~~  
 are selected from the group consisting of sulfonated phenol formaldehyde condensate  
 polymer, sulfonated naphthol formaldehyde condensate polymer, and hydrolyzed vinyl  
 aromatic maleic anhydride polymer.

10. (Currently Amended) The surface according to A carpet as claimed

~~in claim Claim 9, wherein said surface is a carpet comprising a carpet fiber and said carpet is treated with said stain blocker at the preparation contains an amount of the stain blocker to result in a treatment rate of the carpet of about 0.1 wt % to about 20 wt % based upon the weight of said [[the]] carpet fiber.~~

11. (Currently Amended) The surface according to A carpet as claimed  
~~in claim Claim 10, wherein said [[the]] treatment rate is from about 0.25 wt % to about 2~~  
~~[[20]] wt %.~~

12. (Currently Amended) The surface according to A carpet as claimed  
~~in Claim 1, wherein said adhering agent is at least one selected from the group consisting of a fluorochemical, a stain blocker, an acrylic polymer, a styrene butadiene rubber, a nitrile rubber and a polyvinyl chloride the carpet has also been treated with one or more anti-soil fluorochemicals.~~

13. (New) The surface according to Claim 12, wherein said adhering agent is said fluorochemical.

14. (New) The surface according to Claim 12, wherein said adhering agent is said stain blocker.

15. (New) The surface according to Claim 14, wherein said stain blocker is selected from the group consisting of sulfonated phenol formaldehyde condensate polymer, sulfonated naphthol formaldehyde condensate polymer, and hydrolyzed vinyl aromatic maleic anhydride polymer.

16. (New) The surface according to Claim 12, wherein said adhering agent is said acrylic polymer.

17. (New) The surface according to Claim 1, wherein said surface comprises a fiber or fabric.

18. (New) The surface according to Claim 17, wherein said fiber is a nylon fiber, a polypropylene fiber or a wool fiber.

19. (New) The surface according to Claim 1, wherein said surface is a plastic film.

20. (New) The surface according to Claim 1, wherein said surface is ceramic.

21. (New) The surface according to Claim 1, wherein said surface is tile.

22. (New) The surface according to Claim 1, wherein said surface is wood.

23. (New) The surface according to claim 1, which is produced by treating said surface with a composition comprising said adhering agent and said dormant bacteria, wherein said adhering agent constitutes between 0.01 wt % and 20 wt % of said composition based upon a total weight of said composition.

24. (New) The surface according to claim 23, wherein said adhering agent constitutes between 0.1 wt % and 15 wt % of said composition.

25. (New) The surface according to claim 24, wherein said adhering agent constitutes between 5 wt % and 10 wt % of said composition.